² Schmidt v. Johnstone, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003). See also Thomas v. Arn, 474 U.S. 140, 150 (1985); United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003).

Case 2:13-cv-01195-JAD-CWH Document 39 Filed 05/13/14 Page 2 of 2 Accordingly, and with good cause appearing, It is hereby ORDERED that Magistrate Judge Hoffman's Report and Recommendation [Doc. 37] is ACCEPTED. It is further ORDERED that this case is **DISMISSED** with prejudice DATED May 13, 2014. Jennifer A. Dorsey United States District Judge